

prises * * * ingredients scientifically combined to insure an ideal remedy for fortifying the cerebrum and nerves. It is a nervine food * * *. When some improvement is shown, the night dose may be omitted."

On or about April 18, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15812. Misbranding of Ferrasal. U. S. v. 10 Gross of Drugs Labeled in Part Ferrasal. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22737. I. S. No. 24457-x. S. No. 738.)

On May 2, 1928, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 10 gross of drugs labeled in part "Ferrasal," remaining in the original unbroken packages at New York, N. Y., alleging that the article had been shipped by the Crown Remedy Co., from Dallas, Texas, on or about March 6, 1928, and transported from the State of Texas into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of magnesium carbonate, sodium bicarbonate, an iron compound, and starch, flavored with mint and colored pink.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative and therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: "For Acute Indigestion, Headaches, * * * Dysentery, and Bowel Complaints in adults or children. Ferrasal gives quick relief * * * For Chronic Indigestion, Constipation, Kidney and Bladder Trouble * * * Dizziness, Bumpy Face, and Dull Headache resulting from acid poisons. Ferrasal will give relief if taken according to directions. Ferrasal * * * strikes at the source of the numerous health troubles caused by an over-accumulation of acid poisons in the system and blood. * * * 'The Sign of Good Health' * * * Stops Indigestion Now! For Stomach, Liver, and Kidneys * * * For Acute Indigestion take * * * Repeat hourly until relieved. For severe or Chronic Indigestion * * * Also take * * * after any meal that fails to assimilate properly. * * * In cases of Dysentery, Bowel Complaint, and Ptomaine Poisoning call your Physician and take * * * immediately. * * * Then take * * * until the condition is corrected. For Chronic Acid Conditions—Colon Trouble, Blood Disorders, Rheumatism, Kidney and Bladder Troubles, etc., * * * Take regularly until condition has become normal. In severe cases * * * Ferrasal is absolutely harmless * * * healing * * * If baby * * * spits up food give * * * Ferrasal."

On May 24, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

15813. Misbranding of 999 nerve tonic, Prescription 999 and Prescription 999 astringent wash. U. S. v. 11 Boxes of 999 Nerve Tonic, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 22362, 22364. I. S. Nos. 23479-x to 23482-x, incl. S. Nos. 363, 364.)

On January 10, 1928, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 14 boxes of 999 nerve tonic, 5 boxes of Prescription 999, and 5 boxes of Prescription 999 astringent wash, in part at Milwaukee, Wis., and in part at Manitowoc, Wis., alleging that the articles had been shipped by the Combination Remedy Co., from Pittsburgh, Pa., in part October 31, 1927, and in part November 5, 1927, and transported from the State of Pennsylvania into the State of Wisconsin, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the 999 nerve tonic consisted essentially of zinc phosphide, calcium sulphate, and extracts of plant drugs including nux vomica and damiana, that Prescription 999 consisted essentially of volatile oils, including nutmeg, santal, and cubeb oils, copaiba balsam, and a fatty oil, and that Prescription 999 astringent wash con-

sisted essentially of boric acid, magnesium sulphate, and a trace of coal tar color.

It was alleged in the libels that the articles were misbranded in that the following statements regarding the therapeutic or curative effects of the said articles were false and fraudulent, since they contained no ingredient or combination of ingredients capable of producing the effects claimed: (Nerve tonic, box label) "The Ingredients from which these capsules are compounded have been used and prescribed for years for rundown systems and nervous disorders;" (Prescription 999, box label) "Recommended for kidney and bladder disorders. This medicine is a combination of oil sandalwood, oil cubebs, copaiba and other valuable vegetable oils which are known to give the best results in treating the disease for which this medicine is intended * * * After all signs of the disease have disappeared;" (Prescription 999 astringent wash, carton label) "To be used in conjunction with 999 Capsules. For kidney and bladder disorders, as a wash for irritated membranes."

On March 6, 1928, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*,

15814. Misbranding of California fig-nuts agar. U. S. v. 5 Dozen Packages of California Fig-Nuts Agar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22795. I. S. No. 22164-x. S. No. 829.)

On May 31, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 dozen packages of California fig-nuts agar, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the West Side Warehouse, from Chicago, Ill., on or about April 27, 1928, and transported from the State of Illinois into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a baked and crumbled cereal product containing bran, wheat, and traces of figs, nuts, and agar.

It was alleged in the libel that the article was misbranded in that the following statements, (package label) "A Scientific Health Food * * * A Natural Corrective for Constipation California Fig-Nuts Agar * * * This food is recommended by leading physicians for those who are troubled with long standing chronic constipation * * * lubricating the walls of the intestines, increasing the peristaltic action, and carrying this moisture to the lower bowel, softening the stool, furnishes a very easy, thorough cleansing. Unlike a purgative, cathartic, or other artificial means there is no tendency to weaken or irritate, the results are soothing and effective. * * * It is considered an excellent diet for diabetics when used on the advice of a physician. * * * In obstinate cases of Chronic Constipation, four tablespoonfuls twice a day until desired effect; then reduce to once a day," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed.

Misbranding was alleged for the further reason that the following statements, (package label) "California Fig-Nuts Agar * * * California Fig-Nut Cereal * * * Fig-Nuts with Agar * * * Fig-Nuts Agar is semi-digested. It * * * is thoroughly digested in 60 minutes. * * *," (wrapper of case) "Agar Fig-Nuts," were false and misleading.

On June 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture*.

15815. Misbranding of California fig-nuts agar. U. S. v. 5 Cases of California Fig-Nuts Agar. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 22775. I. S. No. 22153-x. S. No. 752.)

On May 17, 1928, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 5 cases of California fig-nuts agar, remaining in the original